

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Bail Appl..No. 418 of 2007()
(CRIME NO. 306/2006-07 OF KALPAKANCHERY POLICE STATION)

: PETITIONER:

KABEER CHETTIYAM THARAMAL, S/O. RAYIN,
CHETTIYAM THARAMAL HUSE, PANNIYANKARA AMSOM, DESOM,
KOZHIKODE DISTRICT.

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.
 2. THE STATION HOUSE OFFICER,
KALPAKANCHERY POLICE STATION, KALPAKANCHERY,
MALAPPURAM DISTRICT.

BY PUBLIC PROSECUTOR - ADV. SHRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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B.A. No. 418 OF 2007 B
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Dated this the 31st day of January, 2007

O R D E R

The petitioner, who is the 10th accused in Crime No.306/2006 of Kalpakanchery Police Station for an offence punishable under Sections 366 and 376(2)(g) I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he is falsely implicated in the case with a view to blackmail him. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then have his regular bail application disposed of by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 14.2.2007 and 17.2.2007 for the purpose of custodial interrogation including subjecting him to potency test. He shall, thereafter, be produced before the Magistrate concerned, who shall consider and dispose of his application, if any, filed for regular bail preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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